

ATTORNEY'S DOCKET NO. C1039/7035

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Krieg et al.  
Serial No: 09/669,187  
Filed: September 25, 2000  
For: IMMUNOSTIMULATORY NUCLEIC ACIDS  
Examiner: Not Assigned

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to the BOX Sequence Assistant Commissioner for Patents, Washington, D.C. 20231, on the 14th day of December, 2000.

  
Maryanne Trevisan

BOX Sequence  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

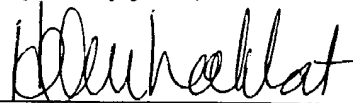
Transmitted herewith are the following documents:

- [X] Statement Pursuant to 37 C.F.R. §1.821(f)
- [X] Sequence Listing - paper copy
- [X] Sequence Listing -computer readable diskette.
- [X] Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617)720-3500, Boston, Massachusetts.

If any fee is determined to be required, then please charge the balance to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully yours,



Helen C. Lockhart Reg. No. 39,248  
WOLF, GREENFIELD & SACKS, P.C.  
600 Atlantic Avenue  
Boston, MA 02210  
Telephone (617) 720-3500  
Facsimile: (617) 720-2441

C1039/7035 (HCL/MXA)  
December 14, 2000  
X 01/16/01



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Arthur M. Krieg, et al.  
SERIAL NO. : 09/669,187  
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\_\_\_\_\_  
Maryanne Trevisan


BOX Sequence  
Commissioner of Patents  
Washington, D.C. 20231

STATEMENT UNDER 37 C.F.R. §1.821(f)

Sir:

This statement is made pursuant to 37 CFR 1.821(f). Applicants enclose herewith an original written copy of the Sequence Listing and a computer readable diskette. Applicants' attorney states that the information recorded in the computer readable form is identical to the written Sequence Listing and that the written and computer readable Sequence Listing does not go beyond the disclosure originally filed and thus contains no new matter.

Respectfully submitted,

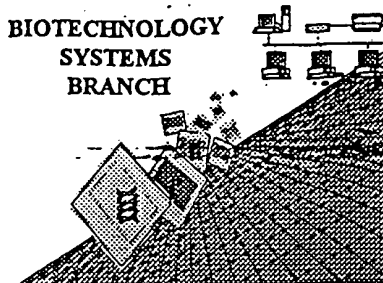
  
\_\_\_\_\_  
Helen C. Lockhart  
Reg. No. 39,248  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210  
Tel.: 617-720-3500

DATE: 14 December 2000  
Attorney's Docket No.: C1039/7035 (HCL/MXA)  
X 01/16/01



## RAW SEQUENCE LISTING ERROR REPORT

BIOTECHNOLOGY  
SYSTEMS  
BRANCH



0400

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/669,187

Source: O I P E

Date Processed by STIC: 10-03-00

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY  
EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT  
COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY  
or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT,  
WITH A NOTICE TO COMPLY

FOR FURTHER INFORMATION, PLEASE TELEPHONE MARK SPENCER,  
703-308-4212.

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER  
VERSION 3.0 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND  
TRADEMARK OFFICE WEBSITE. SEE BELOW:

### Checker Version 3.0

The Checker Version 3.0 application is a state-of-the-art Windows based software program employing a logical and intuitive user-interface to check whether a sequence listing is in compliance with format and content rules. Checker Version 3.0 works for sequence listings generated for the original version of 37 CFR §§1.821 - 1.825 effective October 1, 1990 (old rules) and the revised version (new rules) effective July 1, 1998 as well as World Intellectual Property Organization (WIPO) Standard ST.25.

Checker Version 3.0 replaces the previous DOS-based version of Checker, and is Y2K-compliant. Checker allows public users to check sequence listings in Computer Readable form (CRF) before submitting them to the United States Patent and Trademark Office (USPTO). Use of Checker prior to filing the sequence listing is expected to result in fewer errored sequence listings, thus saving time and money.

Checker Version 3.0 can be down loaded from the USPTO website at the following address:

<http://www.uspto.gov/web/offices/pac/checker>

# Raw Sequence Listing Error Summary

## ERROR DETECTED SUGGESTED CORRECTION

SERIAL NUMBER: 09/669,187

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

- 1 ☐ Wrapped Nucleics The number/text at the end of each line "wrapped" down to the next line.  
This may occur if your file was retrieved in a word processor after creating it.  
Please adjust your right margin to .3, as this will prevent "wrapping".
- 2 ☐ Wrapped Aminos The amino acid number/text at the end of each line "wrapped" down to the next line.  
This may occur if your file was retrieved in a word processor after creating it.  
Please adjust your right margin to .3, as this will prevent "wrapping".
- 3 ☐ Incorrect Line Length The rules require that a line not exceed 72 characters in length. This includes spaces.
- 4 ☐ Misaligned Amino Acid Numbering The numbering under each 5th amino acid is misaligned. This may be caused by the use of tabs between the numbering. It is recommended to delete any tabs and use spacing between the numbers.
- 5 ☐ Non-ASCII This file was not saved in ASCII (DOS) text, as required by the Sequence Rules.  
Please ensure your subsequent submission is saved in ASCII text so that it can be processed.
- 6 ☐ Variable Length Sequence(s) \_\_\_\_\_ contain n's or Xaa's which represented more than one residue.  
As per the rules, each n or Xaa can only represent a single residue.  
Please present the maximum number of each residue having variable length and indicate in the (ix) feature section that some may be missing.
- 7 ☐ PatentIn ver. 2.0 "bug" A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequence(s) \_\_\_\_\_. Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies primarily to the mandatory <220>-<223> sections for Artificial or Unknown sequences.
- 8 ☐ Skipped Sequences (OLD RULES) Sequence(s) \_\_\_\_\_ missing. If intentional, please use the following format for each skipped sequence:  
(2) INFORMATION FOR SEQ ID NO:X:  
(i) SEQUENCE CHARACTERISTICS:(Do not insert any headings under "SEQUENCE CHARACTERISTICS")  
(xi) SEQUENCE DESCRIPTION:SEQ ID NO:X:  
This sequence is intentionally skipped  
  
Please also adjust the "(iii) NUMBER OF SEQUENCES:" response to include the skipped sequence(s).
- 9 ☐ Skipped Sequences (NEW RULES) Sequence(s) \_\_\_\_\_ missing. If intentional, please use the following format for each skipped sequence.  
<210> sequence id number  
<400> sequence id number  
000
- 10 ☐ Use of n's or Xaa's (NEW RULES) Use of n's and/or Xaa's have been detected in the Sequence Listing.  
Use of <220> to <223> is MANDATORY if n's or Xaa's are present.  
In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.
- 11 ☐ Use of <213>Organism (NEW RULES) Sequence(s) \_\_\_\_\_ are missing this mandatory field or its response.
- 12 ☒ Use of <220>Feature (NEW RULES) Sequence(s) \_\_\_\_\_ are missing the <220>Feature and associated headings.  
Use of <220> to <223> is MANDATORY if <213>ORGANISM is "Artificial" or "Unknown"  
Please explain source of genetic material in <220> to <223> section.  
(See "Federal Register," 6/01/98, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of new Rules)
- 13 ☐ PatentIn ver. 2.0 "bug" Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing).  
Instead, please use "File Manager" or any other means to copy file to floppy disk.